

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND
(Northern Division)

WILLIAM C. BOND,

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Plaintiff

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v.

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Case No.: MJG-01-CV-2600

*

KENNETH BLUM, SR., ET AL.,

*

Defendants

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* * * * *

DEFENDANTS' OPPOSITION TO WILLIAM BOND'S MOTION FOR SANCTIONS

Defendants, Adelberg, Rudow, Dorf & Hendler, LLC ("Adelberg Rudow"), Kenneth Blum, Sr., Kenneth Blum, Jr., Dudley F. B. Hodgson, and McDaniel Bennett & Griffin, by their undersigned attorneys, hereby file this Opposition to William Bond's Motion for Sanctions ("Motion"), and for cause state:

Background

1. The above-captioned action was filed on August 29, 2001 by Bond and on November 27, 2001, the Court entered judgment in favor of all Defendants and dismissed all of Bond's claims with prejudice.

2. On January 4, 2002, the Court denied Bond's Motion to Alter or Amend Judgment.

3. On January 31, 2002, Bond filed a Notice of Appeal.

4. On January 24, 2003, the Court of Appeals for the Fourth Circuit affirmed this court's judgment in favor of all defendants. *Bond v. Blum*, 317 F.3d 385 (4th Cir. 2003), *cert. denied*, 540 U.S. 820 (2003).

5. On or about May 6, 2003, this Honorable Court granted Adelberg Rudow a judgment against Bond in the amount of \$69,350.44 and McDaniel Bennett and Griffin a judgment in the amount of \$83,667.65 for attorneys' fees arising out of Bond's prosecution of this frivolous copyright infringement case against Adelberg Rudow and others. Bond subsequently appealed this judgment for attorneys' fees to the United States Court of Appeals for the Fourth Circuit, which affirmed the District Court.

6. According to the Docket Report for this action, the case terminated on May 6, 2003.

7. Since that time, all papers filed in this action have related either to various Defendants' claims for attorneys' fees or writs of garnishment filed against Bond.¹

Argument

8. Bond's Motion is untimely and without any merit. Bond fails to appreciate that his claims were ruled upon and affirmed on appeal several years ago. The current crop of motions is simply the continuation of his baseless and vexatious litigation against Defendants.

9. Defendants hereby adopt and incorporate their responses to Bond's motions for reconsideration pursuant to Federal Rule of Civil Procedure 60(b), recusal (which this Court has already denied), and for temporary restraining order and preliminary injunction.

10. By his Motion, Bond requests that the Court "award all Sanctions [sic] available that this Court finds justified under the evidence" Motion, ¶ 4. Bond fails to articulate any basis whatsoever for his request, nor does he specifically identify against whom the Court should award sanctions. Instead, Bond requests that the Court award sanctions against the Defendants,

¹ As the Court is aware, Bond has filed multiple baseless actions against these parties, all of which have proved without merit. Indeed, Adelberg Rudow and co-Defendant McDaniel Bennett & Griffin are now defending an appeal in the United States Court of Appeals for the Fourth Circuit of this Court's ruling filed by Bond's counsel over approximately \$15,000 in counsel fees. Bond has filed various state court actions as well, all of which have been unsuccessful against Adelberg, Rudow and co-Defendant McDaniel Bennett & Griffin.

“witnesses”, “other persons” and attorneys in the copyright case. No basis is given for his broad request.

11. Notwithstanding the lack of any basis or evidence of sanctionable conduct, Bond fails to comply with the Federal Rules of Civil Procedure. FRCP 11 requires that the movant serve the motion for sanctions before filing same and “shall be made separately from other motions or requests and shall describe the specific conduct alleged to violate [FRCP 11(b)].” Bond failed to comply with the safe harbor provisions of FRCP 11 and set forth the alleged sanctionable conduct.

12. Finally, this action was closed several years ago. There is no pending case pursuant to which Bond could seek any relief whatsoever. Bond should have filed any request for relief during the pendency of the copyright action while he was represented by counsel. His Motion is untimely, moot and without basis. Bond’s Motion should be denied.

WHEREFORE, Defendants hereby request that this Honorable Court deny William Bond’s Motion for Sanctions, and award all further relief this Court deems appropriate.

Respectfully submitted,

/s/

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Counsel for Kenneth Blum, Sr., et al.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY THAT on this 11th day of May, 2007, a copy of the foregoing Opposition to the Motion for Sanctions was served by first class mail on the following:

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_____/s/_____
Michael R. Severino

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ORDER DENYING MOTION FOR SANCTIONS

Upon consideration of the Motion for Sanctions filed by William Bond, and the Opposition thereto filed by Defendants, it is this ____ day of _____, 2007,

ORDERED, that the Motion for Sanctions shall be and is hereby DENIED.

Judge
United States District Court
for the District of Maryland